

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:23-CV-00801-KDB**

**ROBERT JOHN SWIERSKI,**

**Plaintiff,**

**v.**

**JENNY P. HOLMAN,**

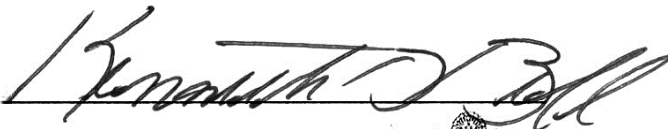
**Defendant.**

**ORDER**

**THIS MATTER** is before the Court upon its own motion. Plaintiff filed a Notice of Appeal from Bankruptcy Court case #23-30425 on November 21, 2023. Doc. No. 1. However, Plaintiff has failed to file a designation of the items to be included in the record on appeal and a statement of the issues to be presented to the U.S. District Court as required by Fed. R. Bankr. P. 8009(a). Doc. No. 2. Plaintiff is advised that his failure to make these required filings will result in the dismissal of his appeal; however, the Court will not enter a dismissal at this time. Instead, the Court will give the pro se Plaintiff a final, additional opportunity to properly prosecute his appeal. Accordingly, Plaintiff is ordered to satisfy Fed. R. Bankr. P. 8009(a) by filing the appropriate designations on or before February 1, 2024. If Plaintiff fails to timely make the required filings, then the Clerk is directed to dismiss this action without further proceedings.

The Clerk is directed to certify copies of this Order to Plaintiff by mail as well as docketing the Order in ECF.

Signed: December 21, 2023



Kenneth D. Bell  
United States District Judge

